

United States Court of Appeals

To the First Circuit

CERTIFIED COPY

T. Woodlock

No. 05-1817

IN RE: ROBERT J. GALLAGHER,
Petitioner.

Before

Boudin, Chief Judge,
Torruella and Howard, Circuit Judges.

JUDGMENT

Entered: June 10, 2005

In his present filing, in the nature of a petition for writ of mandamus, petitioner seems to be claiming that the district court has confused two separate law suits: (1) Gallagher v. Citizens Bank and (2) Gallagher v. NewPharm.net. He claims that these are separate actions, but that the district court has assigned the same number to both cases. Petitioner indicates that he wishes to proceed under only the second case. Petitioner brought this alleged mix-up to the district court's attention in a letter docketed on May 23, 2005. As we trust that the district court, in due course, will respond to the letter, we deny mandamus relief at this time.

Denied.

By the Court:

Richard Cushing Donovan, Clerk.

By: MARGARET CARTER
Chief Deputy Clerk.

FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA

SPW/AB Date: 6-10-05

[Cert. cc: Hon. Douglas P. Woodlock and Sarah A. Thornton, Clerk, U.S.D.C. of Massachusetts, cc: Mr. Gallagher]